(LIst YEAR.) THE (No. 2554.)

MARYLAND GAZETTE.

THURSDAY, DECEMBER 24, 1795.

HAMBURG, *October* 9.

WITH regard to the secret treaty which has certainly taken place between the government of Munich and the French generality, it will probably find many obstacles on the part of the Austrians; since field-marshal Clairfayt in the quality of generalissimo of the forces of the empire, has already opposed his power to those Palatine magistrates who dared to avail themselves of this unqualified neutrality. It is expected that the diet of Ratisbon, which, at the request of the emperor, has begun to deliberate upon the method of compelling the princes who infringe the constitution, by means of force to do their duty, will come to a speedy and resolute determination against this flagrant breach of public faith.

Mentz has been completely blockaded since the 24th. The right wing of the army of the Sambre and Meuse continues to advance up the banks of the Rhine and has occupied Rudesheim, Geisenheim, and other places, and fixed its had quarters at Mosbach on the 25th, from whence it extends to Heckheim.

The democratic part of our merchants at Francfort, have made contracts to the amount of some millions of livres with Merlin of Thionville, to supply the French armies.

LONDON, *October* 13.

Extract of a letter from Algiers, September 24.

"Peace with America was announced here on the 8th instant, and on the following day the English consul had notice to depart within the month, which will of course be followed by a declaration of war. An English privateer, that happened to be within the bay, has been made a prize of, and the crew made slaves."

Oct. 31. The regency of his majesty's German territories has at length acceded to the treaty of Basle, and these countries will henceforth be considered as neutral and defended as such by Prussia. On this account the Hanoverian army will be put upon the peace establishment. But it has been found expedient to send all the emigrant legions, and other mercenary troops, out of the electoral dominions of Hanover. Nothing but the very critital situation of the electorate has dictated the adoption of such a measure, which may be considered as merely prudential and time-serving.

Paris papers, from the 18th to the 24th instant, inclusive, were received this morning, and contain very important intelligence.

The army of the Sambre and the Meuse, under the command of general Jourdan, has been defeated and forced to recross the Lahn, and to retreat towards the Rhine.

The dispositions which general Jourdan had made to resist the Austrians were complete in every part, except towards the line of neutrality, which it was not supposed the Austrians would attempt to violate. The Austrians, however, did violate it, and turning the left wing of the Sambre and the Meuse army, which touched the line of neutrality, forced the whole army to retreat.

The committee of public safety consider this event only as a retrograde movement, and assure the convention that the troops on the other side of the Rhine shall preserve such positions as will be necessary to begin the next campaign with advantage. The convention, however, have ordered the deputy Aubry, who had the direction of military affairs in the committee of public safety, and who is accused of having unnecessarily delayed the passage of the Rhine, after it had been resolved upon by the committee to be arrested.

The Mall and the Parade in St. James's Park, Parliament-street, and the adjoining avenues, were yesterday choaked up with spectators, while the king was passing to and from the parliament-house. The crowd was not so great even at the coronation; and to see the king go to the house, there never were before more than the tenth part of the numbers of yesterday; for they at least amounted to 200,000 people. The earl of Chatham, and duke of Glocester, were hissed, and the duke of Portland was very much hooted, as their carriages passed through the park about two o'clock.

About twenty minutes afterwards, the king left Buckingham-house, and was violently hissed, and hooted, and groaned at, with incessant cries, *No Pitt, No War, Give us Peace, Give us Bread*, the whole way; but no violence was offered till he arrived opposite the ordnance-office, when a bullet broke one of the windows.

When his majesty entered the house of peers, the first words he uttered were these, to the lord chancellor,

"*My Lord, I have been shot at.*"

Three or four persons were apprehended on suspicion of having thrown stones at the king, and one of them was charged with having called out "*No King*," and other such expressions.—Lord Westmoreland, who rode in the carriage with the king, said that his majesty, and those that had accompanied him, were of opinion, that the glass of his coach had been broken by a ball from an air gun, which had been shot from the bow window of a house adjoining the ordnance-office, with a view to assassinate him. This statement was corroborated and supported by lord Onslow, who, as one of the lords of the bed-chamber, had also accompanied his majesty.

His majesty, on returning from the house of peers, was followed with the same groanings, hissings, and cries. A house in Parliament-street, from one of the windows of which a white hankerchief was waved in compliment to the king, was almost instantly covered with mud by the populace.

The moment his majesty entered the park, the gates of the horse guards were shut, for the purpose of excluding the mob who followed the carriage; at which, as it passed Spring Garden Terrace, another stone was thrown, but it fortunately struck the wood work between the windows.

The crowd now pressed more closely round his coach, and his majesty, in considerable agitation, signified, by waving his hands to the horse guards on each side, his anxiety that the multitude should be kept at a distance. In this way he passed on through the park and round by the stable-yard, into St. James's palace at the front gate the bottom of St. James's-street. A considerable tumult took place when his majesty was about to alight.

We are concerned to add to this detail, that when his majesty was proceeding to Buckinham-house to dinner, and had entered his private coach for that purpose, without guards, the mob beset the carriage in such a way as to obstruct its progress, loading the king with fresh insults. A party of the military, however, riding up at full speed, relieved the evident anxiety of not only the immediate attendants on his majesty, but the numerous body of more orderly spectators, who witnessed the insult.

As the state coach returned empty through the gate by the way of the stable-yard, a dreadful accident happened, in consequence of the turbulence of the above riotous persons; a groom, who was employed as one of the leaders of the horses for the day, was beaten down, when the heavy carriage went over him, and broke both his thighs. He was carried on a litter to his apartments in the Mews, with little hopes of recovery.

The mob, as the last gratification of their spite, followed the state coach from St. James's to the Mews, and near St. Alban's-street, commencing an attack upon it with stones and dirt, when they broke the glasses; and in the Mews, pursued their purpose so effectually, as almost entirely to demolish the coach, before the arrival of the guards, when several persons were apprehended.

Late in the evening four persons, concerned in the above riotous proceedings, underwent examinations at Bow-street.

Dingham, a baker, who said he was born at Wellington, in Gloucestershire, was charged on the oath of Jones, one of the patrole, with breaking the glass of his majesty's carriage, as it was returning empty.

On his majesty's return to Buckingham house, he exclaimed, with the consciousness of insulted virtue—"*I have been treated most cruelly, and most undeservedly.*"

HIS MAJESTY's SPEECH

TO BOTH HOUSES OF PARLIAMENT.

My Lords and Gentlemen,

IT is a great satisfaction to me to reflect that, notwithstanding the many events unfavourable to the common cause, the prospect resulting from the general situation of affairs has, in many important respects, been materially improved in the course of the present year.

In Italy, the threatened invasion of the French has been prevented; and they have been driven back from a considerable part of the line of coast which they had occupied: There is also reason to hope that the recent operations of the Austrian armies have checked the progress which they had made on the side of Germany, and frustated the offensive projects which they were pursuing in that quarter.

The successes which have attended the military operations in other parts of the campaign, and the advantages which they have derived from the conclusion of separate treaties with some of the powers who were engaged in the war, are far from compensating the evils which they experience from its continuance. The destruction of their commerce, the dimunition of their maritime power, and the unparalelled embarrassment and distress of their internal situation, have produced the impression which was naturally to be expected; and a general sense appears to prevail throughout France, that the only relief from the increasing pressure of these difficulties must arise from the restoration of peace, and the establishment of some settled system of government.

The distraction and anarchy which have so long prevailed in that country, have led to a crisis, of which it is as yet impossible to foresee the issue; but which must, in all human probability, produce consequences highly important to the interests of Europe. Should this crisis terminate in any order of things compatible with the tranquillity of other countries, and affording a reasonable expectation of security and permanence in any treaty which might be concluded, the appearance of a disposition to negotiate for general peace on just and suitable terms will not fail to be met, on my part, with an earnest desire to give it the fullest and speediest effect. But I am persuaded you will agree with me, that nothing is so likely to ensure and accelerate this desirable end, as to shew that we are prepared for either alternative, and are determined to prosecute the war with the utmost energy and vigour, until we have the means of concluding, in conjunction with our allies, such a peace as the justice of our cause and the situation of the enemy may entitle us to expect.

With this view, I am continuing to make the greatest exertions for maintaining and improving our naval superiority, and for carrying on active and vigorous operations in the West-Indies, in order to secure and extend the advantages which we have gained in that quarter, and which are so nearly connected with our commercial resources and maritime strength.

I rely with full confidence on the continuance of your firm and zealous support, on the uniform bravery of my fleets and armies, and on the fortitude, perseverance, and public spirit of all ranks of my people.

The acts of hostility committed by the United Provinces, under the influence and control of France, have obliged me to treat them as in a state of war with this country.

The fleet which I have employed in the North Seas has received the most cordial and active assistance from the naval force furnished by the empress of Russia, and has been enabled effectually to check the operations of the enemy in that quarter.

I have concluded engagements of defensive alliance with the two Imperial courts; and the ratifications of the treaty of commerce with the United States of America, which I announced to you last year, have now been exchanged.—I have directed copies of these treaties to be laid before you.

Gentlemen of the House of Commons,

It is a matter of deep concern to me, that the exigencies of the public service will require further additions to the heavy burthens which have been unavoidably imposed on my people.—I trust that their pressure will, in some degree, be alleviated by the flourishing state of our commerce and manufactures, and that our expences, though necessarily great in their amount, will, under the actual circumstances of the war, admit of considerable diminution in comparison with those of the present year.

My Lords and Gentlemen,

I have observed for some time past with the greatest uneasiness the very high price of grain, and that anxiety is increased by the apprehension that the wheat harvest in the present year may not have been such as effectually to relieve my people from the difficulties with which they have had to contend. The spirit of order and submission to the laws which, with a very few exceptions, has manifested itself under this severe pressure, will, I am sure, be felt by you as an additional incentive to apply yourselves with the utmost diligence to the consideration of such measures as may tend to alleviate the present distresses, and to prevent, as far as possible, the renewal of similar embarrassments in future.—Nothing has been omitted on my part that appeared likely to contribute to this end; and you may be assured of my hearty concurrence in whatever regulations the wisdom of parliament may adopt on a subject so peculiarly interesting to my people, whose welfare will ever be the object nearest my heart.

Annapolis, December 24.

On the 17th instant, the house of representatives of the United States waited on the president, and presented the following address in answer to his speech to both houses at the opening of the session:

To the PRESIDENT of the UNITED STATES,

SIR,

AS the representatives of the people of the United States, we cannot but participate in the strongest sensibility to every blessing which they enjoy, and cheerfully join with you in profound gratitude to the Author of all Good for the numerous and extraordinary blessings which he has conferred on our favoured country.

A final and formal termination of the distressing war which has ravaged our northwestern frontier, will be an event which must afford a satisfaction proportioned to the anxiety with which it has long been sought; and in the adjustment of the terms, we perceive the true policy of making them satisfactory to the Indians as well as to the United States, as the best

basis of a durable tranquillity. The disposition of such of the southern tribes as had also heretofore annoyed our frontier, is another prospect in our situation so important to the interest and happiness of the United States, that it is much to be lamented that any clouds should be thrown over it, more especially by excesses on the part of our own citizens.

While our population is advancing with a celerity which exceeds the most sanguine calculations—while every part of the United States displays indications of rapid and various improvement—while we are in the enjoyment of protection and security, by mild and wholesome laws, administered by governments founded on the genuine principles of rational liberty, a secure foundation will be laid for accelerating, maturing and establishing the prosperity of our country, if by treaty and amicable negotiation, all those causes of external discord which heretofore menaced our tranquillity, shall be extinguished on terms compatible with our national rights and honour, and with our constitution, and great commercial interests.

Among the various circumstances in our internal situation, none can be viewed with more satisfaction and exultation, than that the late scene of disorder and insurrection, has been completely restored to the enjoyment of order and repose. Such a triumph of reason and of law, is worthy of the free government under which it happened, and was justly to be hoped from the enlightened and patriotic spirit which pervades and actuates the people of the United States.

In contemplating that spectacle of national happiness which our country exhibits, and of which you, Sir, have been pleased to make an interesting summary, permit us to acknowledge and declare the very great share which your zealous and faithful services have contributed to it, and to express the affectionate attachment which we feel for your character.

The several interesting subjects which you recommend to our consideration will receive every degree of it, which is due to them: And whilst we feel the obligation of temperance and mutual indulgence in all our discussions, we trust and pray that the result to the happiness and welfare of our country may correspond with the pure affection we bear to it.

The ANSWER.

Gentlemen,

COMING as you do from all parts of the United States, I receive great satisfaction from the concurrence of your testimony in the justness of the interesting summary of our national happiness, which, as the result of my inquiries, I have presented to your view. The sentiments we have mutually expressed of profound gratitude to the source of these numerous blessings—the Author of all Good—are pledges of our obligations to unite our sincere and zealous endeavours, as the instruments of Divine Providence, to preserve and perpetuate them.

Accept, Gentlemen, my thanks for your declaration, that to my agency you ascribe the enjoyment of a great share of these benefits. So far as my services contribute to the happiness of my country, the acknowledgment thereof by my fellow-citizens, and their affectionate attachment, will ever prove an abundant reward.

Go. WASHINGTON.

By the HOUSE of DELEGATES, December 14, 1795.

ORDERED, That the bill, entitled, An act to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be published in the Maryland Gazette, Easton, George-town, Frederick-town and two Baltimore-town news-papers, the Washington Spy, and Dunlap and Claypoole and Bache's Philadelphia news papers, for three weeks successively, with the yeas and nays on the question for referring said bill to the next session of assembly.

On motion, the question was put, That the further consideration of the bill to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be referred to the next session of assembly? The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Messieurs Hopewell, Neale, Pinkney, J. Worthington, Ridout, T. Worthington, Ridgely, Ridgely, of Wm. Merryman, Hollingsworth, Gilpin, R. Bond, W. Bowie, T. Bowie, Quynn, Key, Dennis, Whittington, Corbin, Baer, Brother, Beatty, Shriver, J. Bond, Jarrett, Montgomery, M'Comas, Winchester, M'Mechen, Ringgold, Barnes, Brooke, Burgess, Oneale, J. Johnson, Lynn, Crefap, Beall. 38.

NEGATIVE.

Messieurs W. Thomas, Spencer, Lloyd, Barroll, Hall, Mackall, Brome, Horrell, Chesley, Parnham, Digges, Roberts, Martin, Sherwood, Carroll, Nutter, Hyland, Steele, Robertson, Ward, O'Bryon, Brown, C. Frazier, Robins, Driver, Mitchell, Clarke, Reintzel. 28.

So it was resolved in the affirmative.

True extract from the minutes of the House of Delegates.

By order,

W. HARWOOD, Clk.

An ACT to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware.

WHEREAS the opening of the communication between the bay of Chesapeake and the river Delaware, by means of a canal, will be attended with very beneficial effects to those parts of the state of Maryland that lie on the bay of Chesapeake, and on the waters that empty themselves into the said bay, and many persons are willing to subscribe large sums of money to effect so useful a work, and it being just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls for ever as a compensation for the money advanced by them in carrying the work into execution, and the risk they incur,

II. *Be it enacted, by the general assembly of Maryland,* That it shall be lawful to open books for receiving and entering subscriptions to the amount of ——— dollars, in shares of ——— dollars each share, for the cutting said canal, and perfecting the navigation thereof, under the management of ——— at Elkton, ——— at Chester town, ——— at Easton, ——— at Vienna, and under the management of such persons, and at such places, in Delaware and Pennsylvania, as shall be appointed by acts of the legislatures of those states; that the said books shall be opened on the ——— day of ——— and shall continue open for this purpose until the ——— day of ———; and on the ——— day of ——— there shall be a general meeting of the subscribers at the town of ———, of which meeting notice shall be given by the said managers, or any four of them, in the Maryland, Delaware and Pennsylvania news-papers, at least one month before the said meeting; provided, that if the same time of receiving subscriptions, and of meeting, should not be appointed by all the said states, then there shall be a meeting of the subscribers at the time by them appointed, at the place aforesaid, notice whereof to be given as aforesaid, and the subscriptions made at the times and places appointed by Delaware and Pennsylvania shall then be received, and such meeting may and shall be continued from day to day till the business is finished; and the acting managers, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the books by them respectively kept, containing the state of the said subscriptions, and if one half of the capital sum aforesaid should, upon examination, appear not to have been subscribed, then the said managers, at the said meeting, are empowered to take and receive subscriptions to make up the deficiency; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said managers, or any four or more of them, under their hands, to the general court for the eastern shore of Maryland, and the supreme courts of Delaware and Pennsylvania, to be there kept and recorded; and in case more than ——— dollars shall be subscribed, then the same shall be reduced to that sum by the said managers, or a majority of them, by beginning at, and striking off a share from, the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the sum is reduced to the capital of ——— dollars, or until a share is taken from all subscriptions above one share, and lots shall be drawn between subscribers of equal sums, to determine the numbers in which such subscribers shall stand on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions are reduced to one share, and if there still be an excess, then lots to be drawn to determine the subscribers who are to be excluded to reduce the subscriptions to the capital aforesaid; which striking off shall be certified in the list aforesaid, and no person shall subscribe less than one whole share; provided, that unless ——— of said capital shall be subscribed as aforesaid, all subscriptions made in consequence of this act shall be void; and in case ———, and less than the whole of said capital shall be subscribed as aforesaid, then the president and directors, appointed as herein after mentioned, are hereby empowered and directed to take and receive the subscriptions which shall be first offered, in whole shares as aforesaid, until the deficiency shall be made up, a certificate of which additional subscriptions shall be made, under the hands of the president and directors for the time being, or of a majority of them, and returned to, and recorded in, the courts herein before mentioned.

III. *And be it enacted,* That in case one half of the said capital, or a greater sum, shall be subscribed as aforesaid, the said subscribers, and their heirs and assigns, from the time of their said first meeting, shall be, and are hereby declared to be, incorporated, by the name of The Chesapeake and Delaware Canal Company, and may have perpetual succession, and sue and be sued as such; and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and ——— directors for conducting the said undertaking, and managing the business of the said company for and during such time, not exceeding ——— years, as the said subscribers, or a majority of them, shall think proper; and every subscriber shall be allowed one vote for every share not exceeding ——— shares, and one vote for every ——— shares above ten, held by him or her in the said company, and any stockholder, by writing under his or her hand and seal, executed in the presence of two witnesses, may depute any other member or stockholder to vote and act as his or her proxy, at any general meeting.

IV. *And be it enacted,* That the said president and directors so elected, and their successors, or a majority of them assembled, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, and erect such locks, and perform such other works, as they shall judge necessary for opening, improving and extending, the navigation between the bay of Chesapeake and the river Delaware, and carrying on the same from place to place, and from time to time, and upon such terms, and in such manner, as they shall think fit, and out of the money arising from the subscriptions and the tolls, and other aids herein after given, to pay for the same, and to repair and keep in order the said canals, locks and other works necessary thereto, and to defray all incidental charges, and also to appoint a treasurer, clerk, and such other officers, toll-gatherers, managers and servants, as they shall judge requisite, and to agree for and settle their respective wages or allowances, and settle, pass and sign, their accounts, and also to make and establish rules of proceeding, and to transact all the other business and concerns of the said company, in and during the intervals between the general meetings of the same, and they shall be allowed, as a satisfaction for their trouble therein, such sum of money as shall, by a general meeting of the subscribers, be determined; provided always, that the treasurer shall give bond, in such penalty, and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made to him for his services shall not exceed ——— pounds in the hundred for the disbursements by him made; and that no officer in the said company shall have any vote in the settlement or passing his own account.

V. *And be it enacted,* That the said president and directors, and their successors, or a majority of them, shall have full power and authority, from time to time, as money shall be wanted, to make and sign orders for that purpose, and direct at what time, and in what proportion, the proprietors shall advance and pay the sums subscribed, which orders shall be advertised at least ——— months in the Maryland, Delaware and Pennsylvania news-papers; and they are hereby authorised and empowered to demand and receive of the several proprietors, from time to time, the sums of money so ordered to be advanced for carrying on and executing, or repairing and keeping in order the said works, until the sums subscribed shall be fully paid, and to order the said sums to be deposited in the hands of the treasurer, to be by him disbursed and paid out as the said president and directors, or a majority of them, shall order and direct; and if any of the said proprietors shall refuse or neglect to pay their said proportions within one month after the time of payment so ordered and advertised as aforesaid, the said president and directors, or a majority of them, may sell at auction, and convey to the purchaser, the share or shares of such proprietor so refusing or neglecting payment, giving at least ——— months notice of the sale in the Maryland, Delaware and Pennsylvania news-papers, and after retaining the sum due, and charges of sale, out of the money produced thereby, they shall refund and pay the overplus, if any, to the former owner, and if such sale shall not produce the full sum ordered and directed to be advanced as aforesaid, with the incidental charges, the said president and directors, or a majority of them, may, in the name of the company, sue for and recover the balance, by action of debt or on the case, and the said purchaser or purchasers shall be subject to the same rules and regulations as if the said sale and conveyance had been made by the original proprietor; provided, that in case of the death of any stockholder, the neglect or refusal of his executor, administrator or legatee, to make the payment that may be required as aforesaid, shall not have the effect to forfeit immediately the said share or shares held by the said stockholder in his lifetime, but the said executor, administrator or legatee, shall have one whole year next after the day of the said death to make the payments required.

VI. *And,* to continue the succession of the said president and directors, and to keep up the same number, *Be it enacted,* That from time to time, upon the expiration of the said term for which the said president and directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said president and directors, or any of them, or choose others in their stead; and in case of the death, removal, resignation or incapacity, of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing or resigning, and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.

VII. *And be it enacted,* That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

VIII. *And be it enacted,* That the presence of proprietors having ——— shares at the least shall be necessary to constitute a general meeting, and that there be a general meeting of proprietors on the ——— Monday of ——— in every year, at such convenient town as shall be from time to time appointed by the said general meeting; but if a sufficient number should not attend on that day, the proprietors who do attend may adjourn such meeting, from time to time, till a general meeting of proprietors shall be had, which may be continued from day to day until the business of the company is finished, to which meeting the president and directors shall make report, and render distinct and just accounts of all their proceedings, and on finding them fairly and justly stated, the proprietors then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books; and at such yearly general meetings, after leaving in the hands of the treasurer such sum as the proprietors, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted shall be ordered and made to and among all the proprietors of the said company, in proportion to their several shares; and upon any emergency, in the interval between the said yearly meetings, the said president, or a majority of the said directors, may appoint a general meeting of the pro-

prietors of the said company, at any convenient town, giving at least one month's previous notice in the Maryland, Delaware and Pennsylvania news-papers, which meeting may be adjourned and continued as aforesaid.

IX. *And be it enacted*, That for and in consideration of the expences the said stockholders will be at, not only in cutting the said canal, and other works for opening the said navigation, but in maintaing and keeping the same in repair, the said canal and works, with all their profits, shall be and the same are hereby vested in the said corporation for ever; and that it shall and may be lawful for the said president and directors, at all times for ever after the said canal shall be made navigable, to demand and receive ————

X. *And be it enacted*, That in case of refusal or neglect to pay the toll at the time of offering to pass through the ———— and previous to the vessel's passing through the same, the collectors of the said tolls may lawfully refuse passage to such vessel; and if any vessel shall pass without paying the said toll, then the said collectors may seize such vessel wherever found, and sell the same at auction for ready money, which, so far as is necessary, shall be applied towards paying said toll, and all expences of seizure and sale, and the balance, if any, shall be paid to the owner, and the person having the direction of such vessel shall be liable for such toll, if the same is not paid by the sale of such vessel as aforesaid; provided, that the said proprietors, or a majority of them, holding at least —— shares, shall have full power and authority, at any general meeting, to lessen the said tolls, or any of them, or to determine that any article may pass free of toll.

XI. *And be it enacted*, That the said canal, and works to be erected thereon in virtue of this act, when completed, shall for ever thereafter be esteemed and taken to be navigable as a public highway, free for the transportation of all goods, commodities or produce whatsoever, on payment of the tolls imposed by this act; and no other toll or tax whatever for the use of the water of the said canal, and the works thereon erected, shall at any time hereafter be imposed by all or either of the said states.

XII. *And*, whereas it is necessary for the making the said canal, locks and other works, that provision should be made for condemning a quantity of land for that purpose, *Be it enacted*, That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase thereof, and in case of disagreement, or in case the owner thereof shall be a feme-covert, under age, non compos, or out of the state, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands, to the sheriff of their county, to summon a jury of ———— inhabitants of his county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter; and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer an oath, or affirmation, as the case may require, to every juryman that shall appear, that he will faithfully, justly and impartially, value the land, (not exceeding in any case the width of ———— feet,) and all damages the owner thereof shall sustain by the cutting the canal through the said land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favour or affection, nor any person grieve for hatred, malice or ill will; and the inquisition thereupon taken shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded; and upon every such valuation the jury are hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president and directors to the owner of the land, or his legal representative, before they shall take possession of said land; and on the payment thereof the said company shall be seized in fee, of said land, as if conveyed by the owner to them, and their successors, in fee, by legal conveyance; provided nevertheless, that if any further damage shall arise to any proprietor of land, in consequence of opening such canal, or in erecting such works, than had been before considered and valued, it shall and may be lawful for such proprietor, as often as any such new damage shall happen, by application to, and warrant from, any two justices of the county where the lands lie, to have such further damage valued by a jury in like manner, and to receive and recover the same of the said president and directors; but nothing herein shall be construed or taken to entitle the proprietor of any such land to recover compensation for any damages which may happen to any mills, forges, or other works or improvements, which shall be begun or erected by such proprietor after such valuation, unless the same damage is wilfully or maliciously done by the said president and directors, or by some person by their authority.

XIII. *And be it enacted*, That the said president and directors, or a majority of them, are hereby authorised to agree with the proprietors for the purchase of a quantity of land, not exceeding one acre, at or near each of the said places of receipt of tolls aforesaid, for the purpose of erecting necessary buildings, and in case of disagreement, or any of the disabilities aforesaid, or the proprietor being out of the state, then such land may be valued, condemned and paid for as aforesaid, for the purpose aforesaid, and the said company shall, upon payment of the valuation of the said land, be seized thereof in fee simple as aforesaid.

XIV. *And*, whereas some of the places through which it may be necessary to conduct the said canal may be convenient for erecting mills, forges, or other waterworks, and the persons, possessors of such situations, may design to improve the same, and it is the intention of this act not to interfere with private property but for the purpose of improving and perfecting the said navigation, *Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the said company, shall not be used for any purpose but navigation, unless the consent of the proprietors of the land through which the same shall be led, be first had; and the said president and directors, or a majority of them, are hereby empowered and directed, if it can be conveniently done to answer both the purposes of navigation and waterworks aforesaid, to enter into reasonable agreements with the proprietors of such situation, concerning the just proportion of the expences of making large canals or cuts, capable of carrying such quantities of water as may be sufficient for the purposes of navigation, and also for any such waterworks as aforesaid.

XV. *And be it enacted*, That it shall and may be lawful for every of the said proprietors to transfer his share or shares by deed executed before two witnesses, and registered, after proof of the execution thereof, in the said company's books, and not otherwise, except by devise, which devise shall also be exhibited to the president and directors, and registered in the company's books, before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls; provided, that no transfer whatsoever shall be made, except for one or more whole share or shares, and not for part of such shares, and that no share shall at any time be sold, conveyed, transferred, or held in trust for the use and benefit or in the name of another, whereby the said president and directors, or proprietors, of the said company, or any of them, shall or may be challenged or made to answer concerning any such trust, but that every person appearing as aforesaid to be a proprietor shall, as to the others of the said company, be to every intent taken absolutely as such, but as between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

XVI. *And be it enacted*, That if the said capital, and the other aids already granted by this act, shall prove insufficient, it shall and may be lawful for the said company, from time to time, to increase the said capital, by the addition of so many more whole shares as shall be judged necessary by the said proprietors, or a majority of them, holding at least three hundred shares, present at any general meeting of the said company; and the said president and directors, or a majority of them, are hereby empowered and required, after giving at least one month's previous notice thereof in the Maryland, Delaware and Pennsylvania newspapers, to open books, in the before-mentioned places, for receiving and entering such additional subscriptions, in which the proprietors of the said company for the time being shall and are hereby declared to have the preference of all others for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares as any of them shall choose; and the said president and directors are hereby required to observe, in all other respects, the same rules therein as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return, under the hands of any four or more of them, an exact list of such additional subscribers, with the sums by them respectively subscribed, into the general courts as aforesaid, to be there recorded; and all proprietors of such additional shares shall be, and they are hereby declared to be, from thenceforward incorporated into the said company.

XVII. *And be it enacted*, That if the stockholders, or the president and directors aforesaid, should neglect or omit, or be by any accident prevented from performing any act or thing on the particular day on which it shall be directed by this act to be done and performed, such neglect or omission shall not be construed or taken in any manner to destroy or invalidate this charter, but the said act may be done at the next convenient day.

XVIII. This act, and every part thereof, to be void and of none effect, unless an act shall be passed by the legislature of Delaware upon similar principles. 1

Citizen O'DUHIGG,

RESPECTFULLY informs the public, that he purposes to return to Annapolis, where he means to open a DANCING SCHOOL, the first Monday in January, at the house of Mr. MARTE, and solicits the patronage of the ladies and gentlemen on the occasion.

December 24. 1795. 1

NOTICE is hereby given, that I intend to apply to the next Saint-Mary's county court for a commission to prove the bounds and lines of three tracts of land, lying in Saint-Mary's county, called CHANCE, LINSTEAD and DISCOVERY, agreeable to the act of assembly in such cases made and provided.

ZACHARIAH MATTINGLY.

NOTICE.

THE subscriber intends to apply to the court of Charles county, at their March term next, for a commission to mark and bound his land called LYNSAY'S SURVEY, lying in Charles county, agreeably to the act for marking and bounding land.

JOHN BRENT.

Charles county, December 23, 1795.

To be SOLD,

A COMMODIOUS DWELLING HOUSE, in a pleasant part of this city.——Apply to the PRINTERS. 9 Annapolis.

BY HIS EXCELLENCY

JOHN HOSKINS STONE,

GOVERNOR OF MARYLAND,

A PROCLAMATION.

WHEREAS it has been represented to the executive, that Cokesbury college, in the town of Abington, in Harford county, was, on the fourth day of December, in the year of our Lord one thousand seven hundred and ninety-five, consumed by fire, and that some malicious persons are supposed to have wilfully set fire to the same, and whereas it is of the greatest importance to society, that the perpetrators of such a crime should be discovered and brought to justice, I have therefore thought proper, by and with the advice and consent of the council, to issue this my proclamation, thereby offering a reward of TWO HUNDRED DOLLARS for the discovery of the person or persons by whom the said offence may have been committed, provided, that the said person or persons be brought to justice therefor.

Given in council, at the city of Annapolis, under the seal of the state of Maryland, this eleventh day of December, in the year of our Lord one thousand seven hundred and ninety-five. 2

J. H. STONE.

By his excellency's command,

NINIAN PINKNEY, Secretary.

GOD SAVE THE STATE.

NOTICE.

THE subscriber intends to apply to the next Anne-Arundel county court, for a commission to mark and bound a tract of land, called LEONARD'S NECK, lying in Anne-Arundel county, as also to mark and bound that part of said tract of land which belongs to him. 2

RICHARD GARDINER.

December 16, 1795.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.

December 16, 1795. 2

RAN away from the subscriber, living near the middle ferry on Monocacy, Frederick county, about two weeks ago, a negro fellow named JERRY, about 25 years of age, a very stout well made negro, about 5 feet 7 inches high. He was bought of Doctor Davidge last spring, who formerly lived in Annapolis, where this negro was raised, who, in his masters absence to Britain, was hired out to work at brick-making both at Annapolis and Baltimore-town; at one of other of those places it is supposed he may be found. It is supposed that he carried off with him a bay horse and bridle; the horse is about fourteen hands high, and branded on the left buttock something like I. Whosoever takes up the said negro and puts him into gaol in Baltimore or Anne-Arundel county, shall receive SIX DOLLARS REWARD, and if brought home and delivered to me TWELVE DOLLARS. 2

J. DELAVENCENDIERE.

Frederick county, December 1, 1795.

COMMITTED to my custody as a runaway, a negro mam who, when committed, called himself SAMUEL BUTLER, but since says his name is JACK, and that he belongs to GEORGE HARNESS, on the South Branch, in the state of Virginia; that he, the said Harness, purchased him from a certain FREEMAN CARTER, who formerly was a resident of this county; he is about five feet ten inches high, appears to be about twenty or twenty-one years of age, has a very remarkable scar above his right eye which extends up a little in his hair, appears to have been occasioned by a burn, he has also a scar on the right side of his nose; his cloathing was only a pair of fustian trousers, a white cloth jacket, and a castor hat half worn. His master is desired to take him away, or he will be sold to discharge his prison fees, &c. 2

JOSEPH GREEN, Sheriff of Charles county.

November 18, 1795.

COMMITTED to my custody as a runaway, on the 20th instant, a negro man named SAM, how says he belongs to SAMUEL HARRISON, Herring Bay. His master is hereby directed to pay his fees and take him away, or he will be sold on the 20th day of January next, according to law, by 4X

RICHARD HARWOOD, Sheriff of Anne-Arundel county.

Annapolis, November 30, 1795.

NOTICE.

THE subscribers have assorted their STORE with about their usual quantity of GOODS at this season of the year, which they will dispose of on moderate terms for CASH.

They earnestly entreat those indebted to them, or to HENRY HALL DORSEY, on his private books, to call and close their accounts, as after the first day of March, 1796, all vouchers of debts that remain open at that time, will be put in the hands of PHILIP B. KEY, Esquire, who will, in the course of a few weeks, receive a list of balances for all sums due to us that exceed ten pounds. 3X

HENRY & THOMAS DORSEY.

Indian Landing, Nov. 10, 1795.

5. An ACT to empower Thomas Bond and Henry Richardſon, ſecurities for Thomas Gibſon, late ſheriff of Harford county, deceaſed, and Thomas Ringgold and Michael Curſe, ſecurities for Thomas Jones, late ſheriff of Kent county, deceaſed, to collect the balances due to, and uncollected by, the ſaid ſheriffs reſpectively.

6. An ACT to authoriſe the chancellor to grant deeds and patents in certain caſes.

7. A Further ſupplement to the act, entitled, An act to eſtabliſh a market in Frederick-town, in Frederick county, and for the regulation of the ſaid market.

8. A Supplement to an act, entitled, An act to empower Robert Buchanan, Simon Wilmer, of Edward, and Henry Curry, ſecurities for Thomas Jones, deceaſed, collector of Kent county, to complete the collection due and unpaid to the ſaid Thomas Jones, deceaſed, for the year ſeventeen hundred and ninety-five.

9. An ACT for the valuation of the lot of ground in Queen-Anne, in Prince-George's county, whereon the warehouſes ſtand, and for the paying the proprietor the value thereof.

10. An ACT making a temporary alteration in the turnpike road directed to be laid out from Baltimore-town towards Frederick-town.

11. An ACT to confirm an act paſſed at November ſeſſion, one thouſand ſeven hundred and ninety-four, entitled, An act to alter ſuch parts of the conſtitution and form of government which preveat perſons conſcientiouſly ſcrupulous of taking an oath from being members of the legiſlature, electors of the ſenate, or to hold offices of profit and truſt.

12. A Supplement to an act, entitled, An act for the relief of the poor of Calvert county.

13. An ACT to ſurvey, continue and extend, certain ſtreets therein mentioned, lying in the additions to George-town, in Montgomery county.

14. An ACT to build a market-houſe in Bentztown, an addition to Frederick-town, and for the regulation of ſaid market.

15. An ACT to incorporate the Roman catholic congregation in Baltimore-town.

16. An ACT to incorporate the German reformed congregation in Baltimore-town.

17. An ACT to empower John C. Beatty to collect the balances due him as ſheriff and collector of Allegany county.

18. An ACT to eſtabliſh and regulate the market-houſe in the town of Cumberland, in Allegany county.

19. An ACT to ſurvey, continue and extend, certain ſtreets in Thomas Beall, of George's, addition to George-town, in Montgomery county.

20. An ACT to empower Samuel Maffit, late ſheriff and collector of Cæcil county, and Thomas O'Bryon, late ſheriff and collector of Queen-Anne's county, to collect balances due them.

21. An ACT for erecting a town at the mouth of the river Suſquehanna, in Cæcil county, and for appointing commiſſioners to regulate and govern the ſame.

22. An ACT to alter the public road leading from Miles river ferry through the lands of Jacob Loockerman, of Talbot county.

23. An ACT reſpecting executions iſſued from one county to another, and to compel the attendance of witneſſes ſummoned from one county to another.

24. An ACT to revive and make valid the proceedings of the levy court of Kent county.

25. An ACT for the preſervation of the navigation of Dividing creek.

26. An ACT to confirm the title of Nathaniel Andrews and Humphrey Buckler to a lot of ground in Baltimore-town.

27. An ACT to eſtabliſh a bank and incorporate the ſubſcribers thereto.

28. A Supplement to the act, entitled, An act to ſtreighten and amend the ſeveral public roads in ſeveral counties, and for other purpoſes therein mentioned.

29. A Supplement to the act reſpecting the puniſhment of criminals.

30. An ACT for the benefit of Thomas Watkins, of Montgomery county,

31. An ACT to lay out and open a public waggon road from Hughes's coaling ground, on the ſouth mountain, to interſect the road, at or near Joſeph Staley's, leading to Frederick-town.

32. An ACT to revive and aid the proceedings of the orphans court of Calvert county, and to call and adjourn the ſame.

33. An ACT for laying out a road by Banker's mill in Frederick county.

34. An ACT to confirm and make valid the proceedings of the levy court of Montgomery county.

35. An ACT to revive and aid the proceedings of Calvert county court.

36. A Further ſupplement to an act, entitled, An act to ſtreighten and amend the public roads in Harford county.

37. An additional ſupplementary act to the act, entitled, An act for the marking of highways, and making the heads of rivers, creeks, branches and ſwamps, paſſable for horſe and foot.

38. An ACT to empower the late ſheriff and collector of Montgomery county to collect the balances due him.

39. An ACT to empower Richard Johns to collect the balances due him as ſheriff and collector of Talbot county.

40. An ACT for altering the time of holding the orphans court in Worceſter county.

41. An ACT to enable the veſtrymen of the pariſh of Saint James, in Anne-Arundel county, for the time being, to ſell a tract of land therein mentioned, and to apply the money ariſing by ſuch ſale towards the purchaſe of another tract or parcel of land, to be made a glebe for the uſe of the rector of that pariſh, and his ſucceſſors.

42. An ACT to empower Benjamin Preſton to collect the balances due him as ſheriff and collector of Harford county.

43. A Supplement to an act, entitled, An act relating to public roads in this ſtate, and to repeal the acts of aſſembly therein mentioned.

44. An ACT to open a road from George-town to a bridge to be erected over the river Patowmack at or near the little falls.

45. A Supplement to an act, entitled, An act to lay out ſeveral turnpike roads in Baltimore county.

46. An ACT for recording a patent therein mentioned.

47. An ACT to authoriſe two lotteries in the city of Waſhington.

48. An ACT to empower William Goldſmith to collect the balances due him as ſheriff and collector of Anne-Arundel county.

49. A Supplement to an act, entitled, An act for the more effectual preſervation of the breed of wild deer.

50. An ACT to empower Charles Hodſon to collect the balances due him as ſheriff and collector of Dorcheſter county.

51. An ACT for enlarging the capital of this ſtate in the Patowmack Company.

52. An ACT authoriſing the laying out certain roads in Worceſter county.

53. An ACT for the benefit of Mary Jackſon, and others, ſecurities of William John Jackſon, late ſheriff of Prince-George's county.

54. An ACT to pay the civil liſt and other expences of civil government.

55. An ACT to authoriſe in certain caſes, the adjournment of the courts therein mentioned.

56. A Supplement to the act, entitled, An act directing the manner of ſuing out attachments in this province, and limitting the extent of them.

57. A Supplement to the act, entitled, An act to ſtreighten and amend the public roads in Harford county, and for other purpoſes.

58. An ACT to extend Pratt-ſtreet, in Baltimore-town, weſternly, until it interſects the turnpike road leading from ſaid town to Frederick-town.

59. An ACT to incorporate an inſurance company in Baltimore-town.

60. An ACT to incorporate the Maryland inſurance company.

61. An ACT reſpecting certificates of ſurveys made on the eaſtern ſhore.

62. An ACT for erecting a bridge over the eaſtern branch of Patowmack river.

63. An ACT for making an addition to the town of Havre-de-Grace, and to improve the navigation of the river Suſquehanna, and for other purpoſes.

64. An ACT to aſcertain the allowance of the members of the general aſſembly.

65. An ACT for the benefit of David and Margaret Forman.

66. An additional ſupplement to the act, entitled, An act for the encouragement of learning, and erecting ſchools in the ſeveral counties within this province.

67. An ACT to repeal the act of aſſembly therein mentioned.

68. An ACT for the relief of Eleanor Davidſon, and the children of John Davidſon.

69. An ACT to revive and aid the proceedings of the orphans court of Harford county.

70. An ACT to aſcertain the ſalary of the judge of the land-office for the eaſtern ſhore.

71. A Further additional ſupplement to an act to regulate the inſpection of tobacco, and to continue certain parts of the ſaid act, and the ſupplementary acts thereto.

72. An ACT to authoriſe a lottery in Havre-de-Grace for the purpoſe therein mentioned.

73. An ACT to alter the mode of electing electors to chooſe the preſident and vice-preſident of the United States.

74. An ACT for the more ſpeedy and effectual recovery of fines, penalties and forfeitures.

75. An ACT reſpecting certain lands lying within this ſtate claimed by Edmund Jenings, Eſquire, of the city of London.

76. An ACT reſpecting a tract of land lying within this ſtate claimed by Thomas Digges, Eſquire, of the kingdom of Great-Britain.

77. A Supplement to the act, entitled, An act to eſtabliſh a bank in the diſtrict of Columbia.

78. An ACT to relinquiſh the right of this ſtate to the lands therein mentioned.

79. An ACT to authoriſe and empower the levy court of Montgomery county to aſſeſs and levy annually a ſum of money for the purpoſes therein mentioned.

80. An ACT to erect a new bridge over Great Choptank river, in Caroline county.

81. An ACT further extending the time for making returns of certain certificates and plots.

82. An ACT declaring the power of the governor in certain criminal caſes.

83. An ACT to continue the acts of aſſembly therein mentioned.

84. An ACT for the relief of ſundry inſolvent debtors.

85. An ACT directing returns to be made to the commiſſioners of the tax in the ſeveral counties of this ſtate.

86. A Further ſupplement to the act, entitled, An act for the better adminiſtration of juſtice in the ſeveral counties of this ſtate.

87. An ACT to appoint an agent for the year one thouſand ſeven hundred and ninety-ſix.

88. An ACT relative to the proceedings in the court of chancery and in the land office.

89. A Supplement to the act for enlarging the capital of this ſtate in the Patowmack Company.

90. An ACT for the payment of the journal of accounts.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the regiſter of the land-office for the weſtern ſhore cauſe ſo much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be publiſhed for ſix weeks ſucceſſively, before the firſt day of April next, in the Annapolis, Eaſton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,

W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in caſe any warrant for ſurveying or reſurveying land hath iſſued or ſhall iſſue, and the ſame hath been or ſhall be executed by a deputy of the ſurveyor, authoriſed to execute the ſame, and before a certificate of the ſurvey or reſurvey ſhall be made out and ſigned by the ſaid ſurveyor he ſhall die, the ſaid deputy ſhall have power, within ſix months after ſuch death, to make out and ſign a plot and ſpecial certificate, ſtating the circumſtances of the caſe, with an affidavit of the truth thereof annexed or endorſed, and the ſaid certificate ſhall be as good and effectual as if made out and ſigned by the ſaid ſurveyor, and if any amendment or correction of the ſaid plot or certificate ſhall be neceſſary, the amendment or correction ſhall be made by the ſaid deputy, or ſuch other perſon as the chancellor, or the judge of the land-office on the eaſtern ſhore, as the caſe may be, ſhall think proper.

And be it enacted, That in caſe any certificate hath been or ſhall be made out by any county ſurveyor, authoriſed to make the ſame, under a warrant of ſurvey or reſurvey, and the ſame hath been or ſhall be duly returned, and an order of the chancellor, or judge of the land-office of the eaſtern ſhore, hath been or ſhall be made for correcting the ſame, and the ſurveyor hath reſigned or ſhall reſign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eaſtern ſhore reſpectively, on application of the party, and at his own diſcretion, may order the correction to be made by the ſaid ſurveyor, and the corrected certificate made out by the ſaid ſurveyor ſhall be as good and effectual as if he had not reſigned, and he ſhall be entitled to ſuch fees as to the chancellor, or judge of the land-office for the eaſtern ſhore, ſhall, under all circumſtances, appear reaſonable, not exceeding the fees eſtabliſhed by law.

And be it enacted, That hereafter no original certificate of ſurvey or reſurvey under a warrant ſhall be received in the land-office, unleſs the ſame be paſſed by the examiner-general, and returned to the ſaid office before the firſt day of July next, or within eighteen months from the date of the warrant, and in caſe any order hath been made for the correction of any certificate of ſurvey or reſurvey under a warrant, the corrected certificate ſhall not be received into the land-office, unleſs paſſed by the examiner (if neceſſary) and returned before the firſt day of January, ſeventeen hundred and ninety-ſeven, and in caſe any order ſhall hereafter be made for the correction of any certificate as aforeſaid, the corrected certificate ſhall not be received, unleſs paſſed by the examiner (if neceſſary) and returned within nine months from the date of the order, but nothing in this act contained ſhall be ſo conſtrued as to extend the time within which a ſurvey or reſurvey under a warrant may be made.

And be it enacted, That where any certificate of ſurvey or reſurvey ſhall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eaſtern ſhore, may think proper to direct the correction of any certificate, and there is not ſufficient time for ſuch correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treaſurer, three months ſhall be allowed for the correction of ſuch certificate, and being paſſed by the examiner-general, and payment made within the ſaid three months, the ſame ſhall be valid.

And be it enacted, That no certificate of ſurvey or reſurvey ſhall be liable to a warrant of proclamation before the firſt day of June next.

And be it enacted, That in caſe any certificate of ſurvey or reſurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, ſuch ſurvey or reſurvey ſhall be liable to be affected by a proclamation warrant, by any perſon who ſhall apply for the ſame, but no proclamation warrant ſhall thereafter iſſue on any ſurvey made or hereafter to be made in this ſtate, unleſs one tenth part of the land contained in the ſaid ſurvey or reſurvey is compounded upon and paid to the treaſurer of the weſtern or eaſtern ſhore, as the caſe may be, before ſuch warrant ſhall iſſue; provided, that the perſon claiming the ſaid ſurvey or reſurvey ſhall have one day after the ſaid firſt day of June, or after the expiration of the warrant of ſuch ſurveys or reſurveys made, or hereafter to be made, as aforeſaid, for a proclamation, to pay and compound on the ſame, and no application ſhall be received by the regiſter of the land-office for the weſtern or eaſtern ſhore reſpectively, until after ſuch day of pre-emption ſhall have expired; provided, that nothing herein contained ſhall be taken or deemed to affect the right of any perſon who hath already applied for any proclamation warrant, if ſuch perſon

shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey, or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

Pursuant to an order of the orphans court of Anne-Arundel county, will be SOLD, at PUBLIC SALE, for READY MONEY, on Saturday the 16th of January next, at the subscriber's dwelling, in this city,

SUNDRY articles of HOUSEHOLD GOODS, consisting of beds, chairs, kitchen furniture, &c. belonging to the estate of EDWARD HOLLAND, dedeceased.

All persons indebted to the said estate are required to make immediate payments, and those having claims to make them known, that they may receive their equal dividend of the said estate.

ISAAC HOLLAND, Administrator.

Annapolis, December 30, 1795.

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, consisting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Trustee.

WHEREAS it has been the common practice of boatmen, who put into Poplar Island harbour, to go ashore a gunning, and cutting timber off Cobler's Neck, without leave or licence, this is therefore to forewarn any boatman whatsoever from trespassing upon said Island or NECK, either by hunting, fowling, or cutting timber, or in any other manner whatsoever, otherwise the transgressors shall be dealt with according to law.

WILLIAM SEARS.

Poplar Island, December 23, 1795.

FIFTY DOLLARS REWARD.

RAN AWAY from the subscriber's plantation, at Nanjemoy, in Charles county, on the 20th inst. a dark coloured mulatto lad, about twenty years old, slender made, and very likely, named BILL, or WILL, and commonly passes amongst those who know him by the nickname of M'DANIEL, has a small scar on the upper part of his forehead, which may be discovered on close examination, dresses himself remarkably neat, has a variety of good cloathing. This lad is well known to gentlemen of the turf, having rode for several purses in Virginia and Maryland. He stole and carried off with him a sorrel horse, about fourteen hands high, with a star in his forehead, and branded on the near shoulder with the letter B. There is some reason to believe he will attempt to get into Kent county, in the Delaware state, and pass himself as a free man; FORTY DOLLARS shall be paid for the boy, and TEN for the horse, if secured so that I get them again.

JOHN THOMAS.

Maryland Dec. 24, 1795.

Citizen O'DUHIGG,

RESPECTFULLY informs the public, that he purposes to return to Annapolis, where he means to open a DANCING SCHOOL, the first Monday in January, at the house of Mr. MARIE, and solicits the patronage of the ladies and gentlemen on the occasion.

December 24, 1795.

NOTICE is hereby given, that I intend to apply to the next Saint-Mary's county court for a commission to prove the bounds and lines of three tracts of land, lying in Saint-Mary's county, called CHANCE, LINSTEAD and DISCOVERY, agreeable to the act of assembly in such cases made and provided.

ZACHARIAH MATTINGLY.

NOTICE.

THE subscriber intends to apply to the court of Charles county, at their March term next, for a commission to mark and bound his land called LYNAY'S SURVEY, lying in Charles county, agreeably to the act for marking and bounding land.

JOHN BRENT.

Charles county, December 22, 1795.

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleasant part of this city.——Apply to the PRINTERS.

Annapolis.

NOTICE.

THE subscriber intends to apply to the next Anne-Arundel county court, for a commission to mark and bound a tract of land, called LEONARD'S NECK, lying in Anne-Arundel county, as also to mark and bound that part of said tract of land which belongs to him.

RICHARD GARDINER.

December 16, 1795.

BY HIS EXCELLENCY

JOHN HOSKINS STONE,

GOVERNOR OF MARYLAND,

A PROCLAMATION.

WHEREAS it has been represented to the executive that Cokesbury college, in the town of Abington, in Harford county, was, on the fourth day of December, in the year of our Lord one thousand seven hundred and ninety-five, consumed by fire, and that some malicious persons are supposed to have wilfully set fire to the same, and whereas it is of the greatest importance to society, that the perpetrators of such a crime should be discovered and brought to justice, I have therefore thought proper, by and with the advice and consent of the council, to issue this my proclamation, thereby offering a reward of TWO HUNDRED DOLLARS for the discovery of the person or persons by whom the said offence may have been committed, provided, that the said person or persons be brought to justice therefor.

Given in council, at the city of Annapolis, under the seal of the state of Maryland, this eleventh day of December, in the year of our Lord one thousand seven hundred and ninety-five.

J. H. STONE.

By his excellency's command,

NINIAN PINKNEY, Secretary.

GOD SAVE THE STATE.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.

December 16, 1795.

RAN away from the subscriber, living near the middle ferry on Monocacy, Frederick county, about two weeks ago, a negro fellow named JERRY, about 25 years of age, a very stout well-made negro, about 5 feet 7 inches high. He was bought of Doctor Davidge last spring, who formerly lived in Annapolis, where this negro was raised, who, in his masters absence to Britain, was hired out to work at brick-making both at Annapolis and Baltimore-town; at one or other of those places it is supposed he may be found. It is supposed that he carried off with him a bay horse and bridle; the horse is about fourteen hands high, and branded on the left buttock something like L. Whosoever takes up the said negro and puts him into gaol in Baltimore or Anne-Arundel county, shall receive SIX DOLLARS REWARD, and if brought home and delivered to me TWELVE DOLLARS.

J. DELAVENCENDIERE.

Frederick county, December 1, 1795.

COMMITTED to my custody as a runaway, a negro man who, when committed, called himself SAMUEL BUTLER, but since says his name is JACK, and that he belongs to GEORGE HARNESS, on the South Branch, in the state of Virginia; that he, the said Harness, purchased him from a certain FREEMAN CARTER, who formerly was a resident of this county; he is about five feet ten inches high, appears to be about twenty or twenty-one years of age, has a very remarkable scar above his right eye which extends up a little in his hair, appears to have been occasioned by a burn, he has also a scar on the right side of his nose; his cloathing was only a pair of fustian trousers, a white cloth jacket, and a castor hat half worn. His master is desired to take him away, or he will be sold to discharge his prison fees, &c.

JOSEPH GREEN, Sheriff of Charles county.

November 18, 1795.

COMMITTED to my custody as a runaway, on the 20th instant, a negro man named SAM, how says he belongs to SAMUEL HARRISON, Herring Bay. His master is hereby directed to pay his fees and take him away, or he will be sold on the 20th day of January next, according to law, by

RICHARD HARWOOD, Sheriff of Anne-Arundel county.

Annapolis, November 30, 1795.

HAVING suffered much loss by trespasses on my plantation near this city, I now give notice, that I will prosecute all those who commit the like in future.

BENJAMIN OGLE.

August 22, 1795.

By the HOUSE of DELEGATES, December 14, 1795.

ORDERED, That the bill, entitled, An act to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be published in the Maryland Gazette, Easton, George-town, Frederick-town and two Baltimore-town news-papers, the Washington Spy, and Dunlap and Claypoole and Bache's Philadelphia news-papers, for three weeks successively, with the yeas and nays on the question for referring said bill to the next session of assembly.

On motion, the question was put, That the further consideration of the bill to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware, be referred to the next session of assembly? The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Messieurs Hopewell, Neale, Pinkney, J. Worthington, Ridout, T. Worthington, Ridgely, Ridgely, of Wm. Merryman, Hollingsworth, Gilpin, R. Bond, W. Bowie, T. Bowie, Quynn, Key, Dennis, Whittington, Corbin, Baer, Brother, Beatty, Shriver, J. Bond, Jarrett, Montgomery, M'Comas, Winchester, M'Mechen, Ringgold, Barnes, Brooke, Burgess, Oneale, J. Johnson, Lynn, Cresap, Beall. 38.

NEGATIVE.

Messieurs W. Thomas, Spencer, Lloyd, Barroll, Hall, Mackall, Brome, Horrell, Chesley, Farnham, Digges, Roberts, Martin, Sherwood, Carroll, Nutter, Hyland, Steele, Robertson, Ward, O'Bryon, Brown, C. Frazier, Robins, Driver, Mitchell, Clarke, Reintzel. 28.

So it was resolved in the affirmative.

True extract from the minutes of the House of Delegates. By order,

W. HARWOOD, Clk.

An ACT to erect a company, as a body corporate, for the purpose of cutting and making a canal between the bay of Chesapeake and the river Delaware.

WHEREAS the opening of the communication between the bay of Chesapeake and the river Delaware, by means of a canal, will be attended with very beneficial effects to those parts of the state of Maryland that lie on the bay of Chesapeake, and on the waters that empty themselves into the said bay, and many persons are willing to subscribe large sums of money to effect so useful a work, and it being just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls for ever as a compensation for the money advanced by them in carrying the work into execution, and the risk they incur,

II. *Be it enacted, by the general assembly of Maryland*, That it shall be lawful to open books for receiving and entering subscriptions to the amount of ——— dollars, in shares of ——— dollars each share, for the cutting said canal, and perfecting the navigation thereof, under the management of ——— at Elkton, ——— at Chester-town, ——— at Easton, ——— at Vienna, and under the management of such persons, and at such places, in Delaware and Pennsylvania, as shall be appointed by acts of the legislatures of those states; that the said books shall be opened on the ——— day of ——— and shall continue open for this purpose until the ——— day of ———; and on the ——— day of ——— there shall be a general meeting of the subscribers at the town of ———, of which meeting notice shall be given by the said managers, or any four of them, in the Maryland, Delaware and Pennsylvania news-papers, at least one month before the said meeting; provided, that if the same time of receiving subscriptions, and of meeting, should not be appointed by all the said states, then there shall be a meeting of the subscribers at the time by them appointed, at the place aforesaid, notice whereof to be given as aforesaid, and the subscriptions made at the times and places appointed by Delaware and Pennsylvania shall then be received, and such meeting may and shall be continued from day to day till the business is finished; and the acting managers, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the books by them respectively kept, containing the state of the said subscriptions, and if one half of the capital sum aforesaid should, upon examination, appear not to have been subscribed, then the said managers, at the said meeting, are empowered to take and receive subscriptions to make up the deficiency; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said managers, or any four or more of them, under their hands, to the general court for the eastern shore of Maryland, and the supreme courts of Delaware and Pennsylvania, to be there kept and recorded; and in case more than ——— dollars shall be subscribed, then the same shall be reduced to that sum by the said managers, or a majority of them, by beginning at, and striking off a share from, the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the sum is reduced to the capital of ——— dollars, or until a share is taken from all subscriptions above one share, and lots shall be drawn between subscribers of equal sums, to determine the numbers in which such subscribers shall stand on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions are reduced to one share, and if there still be an excess, then lots to be drawn to determine the subscribers who are to be excluded to reduce the subscriptions to the capital aforesaid; which striking off shall be certified in the list aforesaid, and no person shall subscribe less than one whole share; provided, that unless ——— of said capital shall be subscribed as aforesaid, all subscriptions made in consequence of this act shall be void; and in case ———, and less than the whole of said capital shall be subscribed as aforesaid, then the president and directors, appointed as herein after mentioned, are hereby empowered and directed to take and receive the subscriptions which shall be first offered, in whole shares as aforesaid, until the deficiency shall be made up, a certificate of which additional subscriptions shall be made, under the hands of the president and directors for the time being, or of a majority of them, and returned to, and recorded in, the courts herein before mentioned.

III. *And be it enacted*, That in case one half of the said capital, or a greater sum, shall be subscribed as aforesaid, the said subscribers, and their heirs and assigns, from the time of their said first meeting, shall be, and are hereby declared to be, incorporated, by the name of The Chesapeake and Delaware Canal

Company, and may have perpetual ſucceſſion, and ſue and be ſued as ſuch; and ſuch of the ſaid ſubſcribers as ſhall be preſent at the ſaid meeting, or a majority of them, are hereby empowered and required to elect a preſident and ——— directors for conducting the ſaid undertaking, and managing the buſineſs of the ſaid company for and during ſuch time, not exceeding ——— years, as the ſaid ſubſcribers, or a majority of them, ſhall think proper; and every ſubſcriber ſhall be allowed one vote for every ſhare not exceeding ——— ſhares, and one vote for every ——— ſhares above ten, held by him or her in the ſaid company, and any ſtockholder, by writing under his or her hand and ſeal, executed in the preſence of two witneſſes, may depute any other member or ſtockholder to vote and act as his or her proxy, at any general meeting.

IV. *And be it enacted*, That the ſaid preſident and directors ſo elected, and their ſucceſſors, or a majority of them aſſembled, ſhall have full power and authority to agree with any perſon or perſons, on behalf of the ſaid company, to cut ſuch canals, and erect ſuch locks, and perform ſuch other works, as they ſhall judge neceſſary for opening, improving and extending, the navigation between the bay of Cheſapeake and the river Delaware, and carrying on the ſame from place to place, and from time to time, and upon ſuch terms, and in ſuch manner, as they ſhall think fit, and out of the money ariſing from the ſubſcriptions and the tolls, and other aids herein after given, to pay for the ſame, and to repair and keep in order the ſaid canals, locks and other works neceſſary thereto, and to defray all incidental charges, and alſo to appoint a treaſurer, clerk, and ſuch other officers, toll-gatherers, managers and ſervants, as they ſhall judge requiſite, and to agree for and ſettle their reſpective wages or allowances, and ſettle, paſs and ſign, their accounts, and alſo to make and eſtabliſh rules of proceeding, and to tranſact all the other buſineſs and concerns of the ſaid company, in and during the intervals between the general meetings of the ſame, and they ſhall be allowed, as a ſatisfaction for their trouble therein, ſuch ſum of money as ſhall, by a general meeting of the ſubſcribers, be determined; provided always, that the treaſurer ſhall give bond, in ſuch penalty, and with ſuch ſecurity, as the ſaid preſident and directors, or a majority of them, ſhall direct, for the true and faithful diſcharge of the truſt repoſed in him, and that the allowance to be made to him for his ſervices ſhall not exceed ——— pounds in the hundred for the diſburſements by him made; and that no officer in the ſaid company ſhall have any vote in the ſettlement or paſſing his own account.

V. *And be it enacted*, That the ſaid preſident and directors, and their ſucceſſors, or a majority of them, ſhall have full power and authority, from time to time, as money ſhall be wanted, to make and ſign orders for that purpoſe, and direct at what time, and in what proportion, the proprietors ſhall advance and pay the ſums ſubſcribed, which orders ſhall be advertiſed at leaſt ——— months in the Maryland, Delaware and Pennſylvania news-papers; and they are hereby authoriſed and empowered to demand and receive of the ſeveral proprietors, from time to time, the ſums of money ſo ordered to be advanced for carrying on and executing, or repairing and keeping in order the ſaid works, until the ſums ſubſcribed ſhall be fully paid, and to order the ſaid ſums to be depoſited in the hands of the treaſurer, to be by him diſburſed and paid out as the ſaid preſident and directors, or a majority of them, ſhall order and direct; and if any of the ſaid proprietors ſhall refuſe or neglect to pay their ſaid proportions within one month after the time of payment ſo ordered and advertiſed as aforeſaid, the ſaid preſident and directors, or a majority of them, may ſell at auction, and convey to the purchaſer, the ſhare or ſhares of ſuch proprietor ſo refuſing or neglecting payment, giving at leaſt ——— months notice of the ſale in the Maryland, Delaware and Pennſylvania newspapers, and after retaining the ſum due, and charges of ſale, out of the money produced thereby, they ſhall refund and pay the overplus, if any, to the former owner, and if ſuch ſale ſhall not produce the full ſum ordered and directed to be advanced as aforeſaid, with the incidental charges, the ſaid preſident and directors, or a majority of them, may, in the name of the company, ſue for and recover the balance, by action of debt or on the caſe, and the ſaid purchaſer or purchaſers ſhall be ſubject to the ſame rules and regulations as if the ſaid ſale and conveyance had been made by the original proprietor; provided, that in caſe of the death of any ſtockholder, the neglect or refuſal of his executor, adminiſtrator or legatee, to make the payment that may be required as aforeſaid, ſhall not have the effect to forfeit immediately the ſaid ſhare or ſhares held by the ſaid ſtockholder in his lifetime, but the ſaid executor, adminiſtrator or legatee, ſhall have one whole year next after the day of the ſaid death to make the payments required.

VI. *And*, to continue the ſucceſſion of the ſaid preſident and directors, and to keep up the ſame number, *Be it enacted*, That from time to time, upon the expiration of the ſaid term for which the ſaid preſident and directors were appointed, the proprietors of the ſaid company, at the next general meeting, ſhall either continue the ſaid preſident and directors, or any of them, or chooſe others in their ſtead; and in caſe of the death, removal, reſignation or incapacity, of the preſident, or any of the ſaid directors, may and ſhall, in manner aforeſaid, elect any other perſon or perſons to be preſident and directors, in the room of him or them ſo dying, removing or reſigning, and may, at any of their general meetings, remove the preſident, or any of the directors, and appoint others for and during the remainder of the term for which ſuch perſon or perſons were at firſt to have acted.

VII. *And be it enacted*, That every preſident and director, before he acts as ſuch, ſhall take an oath or affirmation for the due execution of his office.

VIII. *And be it enacted*, That the preſence of proprietors having ——— ſhares at the leaſt ſhall be neceſſary to conſtitute a general meeting, and that there be a general meeting of proprietors on the ——— Monday of ——— in every year, at ſuch convenient town as ſhall be from time to time appointed by the ſaid general meeting, but if a ſufficient number ſhould not attend on that day, the proprietors who do attend may adjourn ſuch meeting, from time to time, till a general meeting of proprietors ſhall be had, which may be continued from day to day until the buſineſs of the company is finiſhed, to which meeting the preſident and directors ſhall make report, and render diſtinct and juſt accounts of all their proceedings, and on finding them fairly and juſtly ſtated, the proprietors then preſent, or a majority of them, ſhall give a certificate thereof, a duplicate of which ſhall be entered on the ſaid company's books; and at ſuch yearly general meetings, after leaving in the hands of the treaſurer ſuch ſum as the proprietors, or a majority of them, ſhall judge neceſſary for repairs and contingent charges, an equal dividend of all the net profits ariſing from the tolls hereby granted ſhall be ordered and made to and among all the proprietors of the ſaid company, in proportion to their ſeveral ſhares; and upon any emergency, in the interval between the ſaid yearly meetings, the ſaid preſident, or a majority of the ſaid directors, may appoint a general meeting of the proprietors of the ſaid company, at any convenient town, giving at leaſt one month's previous notice in the Maryland, Delaware and Pennſylvania news-papers, which meeting may be adjourned and continued as aforeſaid.

IX. *And be it enacted*, That for and in conſideration of the expences the ſaid ſtockholders will be at, not only in cutting the ſaid canal, and other works for opening the ſaid navigation, but in maintaing and keeping the ſame in repair, the ſaid canal and works, with all their profits, ſhall be and the ſame are hereby veſted in the ſaid corporation for ever; and that it ſhall and may be lawful for the ſaid preſident and directors, at all times for ever after the ſaid canal ſhall be made navigable, to demand and receive ———

X. *And be it enacted*, That in caſe of refuſal or neglect to pay the toll at the time of offering to paſs through the ——— and previous to the veſſel's paſſing through the ſame, the collectors of the ſaid tolls may lawfully refuſe paſſage to ſuch veſſel; and if any veſſel ſhall paſs without paying the ſaid toll, then the ſaid collectors may ſeize ſuch veſſel wherever found, and ſell the ſame at auction for ready money, which, ſo far as is neceſſary, ſhall be applied towards paying ſaid toll, and all expences of ſeizure and ſale, and the balance, if any, ſhall be paid to the owner, and the perſon having the direction of ſuch veſſel ſhall be liable for ſuch toll, if the ſame is not paid by the ſale of ſuch veſſel as aforeſaid; provided, that the ſaid proprietors, or a majority of them, holding at leaſt ——— ſhares, ſhall have full power and authority, at any general meeting, to leſſen the ſaid tolls, or any of them, or to determine that any article may paſs free of toll.

XI. *And be it enacted*, That the ſaid canal, and works to be erected thereon in virtue of this act, when completed, ſhall for ever thereafter be eſteemed and taken to be navigable as a public highway, free for the tranſportation of all goods, commodities or produce whatſoever, on payment of the tolls impoſed by this act; and no other toll or tax whatever for the uſe of the water of the ſaid canal; and the works thereon erected, ſhall at any time hereafter be impoſed by all or either of the ſaid ſtates.

XII. *And*, whereas it is neceſſary for the making the ſaid canal, locks and other works, that proviſion ſhould be made for condemning a quantity of land for that purpoſe, *Be it enacted*, That it ſhall and may be lawful for the ſaid preſident and directors, or a majority of them, to agree with the owners of any land through which the ſaid canal is intended to paſs, for the purchaſe thereof, and in caſe of diſagreement, or in caſe the owner thereof ſhall be a feme covert, under age, non compos, or out of the ſtate, on application to any two juſtices of the county in which ſuch land ſhall lie, the ſaid juſtices ſhall iſſue their warrant, under their hands, to the ſheriff of their county, to ſummon a jury of ——— inhabitants of his county, of property and reputation, not related to the parties, nor in any manner intereſted, to meet on the land to be valued, at a day to be expreſſed in the warrant, not leſs than ten nor more than twenty days thereafter; and the ſheriff, upon receiving the ſaid warrant, ſhall forthwith ſummon the ſaid jury, and when met, ſhall adminiſter an oath, or affirmation, as the caſe may require, to every juryman that ſhall appear, that he will faithfully, juſtly and impartially, value the land, (not exceeding in any caſe the width of ——— feet,) and all damages the owner thereof ſhall ſuſtain by the cutting the canal through the ſaid land, accord ing to the beſt of his ſkill and judgment, and that in ſuch valuation he will not ſpare any perſon for favour or affection, nor any perſon grieve for hatred, malice or ill will; and the inquiſition thereupon taken ſhall be ſigned by the ſheriff, and ſome twelve or more of the jury, and returned by the ſheriff to the clerk of his county, to be by him recorded; and upon every ſuch valuation the jury are hereby directed to deſcribe and aſcertain the bounds of the land by them valued, and their valuation ſhall be concluſive on all perſons, and ſhall be paid by the ſaid preſident and directors to the owner of the land, or his legal repreſentative, before they ſhall take poſſeſſion of ſaid land; and on the payment thereof the ſaid company ſhall be ſeized in fee, of ſaid land, as if conveyed by the owner to them, and their ſucceſſors, in fee, by legal conveyance; provided nevertheleſs, that if any further damage ſhall ariſe to any proprietor of land, in conſequence of opening ſuch canal, or in erecting ſuch works, than had been before conſidered and valued, it ſhall and may be lawful for ſuch proprietor, as often as any ſuch new damage ſhall happen, by application to, and warrant from, any two juſtices of the county where the lands lie, to have ſuch further damage valued by a jury in like manner, and to receive and recover the ſame of the ſaid preſident and directors; but nothing herein ſhall be conſtrued or taken to entitle the proprietor of any ſuch land to recover compenſation for any damages which may happen to any mills, forges, or other works or improvements, which ſhall be begun or erected by ſuch proprietor after ſuch valuation, unleſs the ſame damage is wilfully or maliciouſly done by the ſaid preſident and directors, or by ſome perſon by their authority.

XIII. *And be it enacted*, That the ſaid preſident and directors, or a majority of them, are hereby authoriſed to agree with the proprietors for the purchaſe of a quantity of land, not exceeding one acre, at or near each of the ſaid places of receipt of tolls aforeſaid, for the purpoſe of erecting neceſſary buildings, and in caſe of diſagreement, or any of the diſabilities aforeſaid, or the proprietor being out of the ſtate, then ſuch land may be valued, condemned and paid for as aforeſaid, for the purpoſe aforeſaid, and the ſaid company ſhall, upon payment of the valuation of the ſaid land, be ſeized thereof in fee ſimple as aforeſaid.

XIV. *And*, whereas ſome of the places through which it may be neceſſary to conduct the ſaid canal may be convenient for erecting mills, forges, or other waterworks, and the perſons, poſſeſſors of ſuch ſituations, may deſign to improve the ſame, and it is the intention of this act not to interfere with private property but for the purpoſe of improving and perfecting the ſaid navigation, *Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the ſaid company, ſhall not be uſed for any purpoſe but navigation, unleſs the conſent of the proprietors of the land through which the ſame ſhall be led, be firſt had; and the ſaid preſident and directors, or a majority of them, are hereby empowered and directed, if it can be conveniently done to anſwer both the purpoſes of navigation and waterworks aforeſaid, to enter into reaſonable agreements with the proprietors of ſuch ſituation, concerning the juſt proportion of the expences of making large canals or cuts, capable of carrying ſuch quantities of water as may be ſufficient for the purpoſes of navigation, and alſo for any ſuch waterworks as aforeſaid.

XV. *And be it enacted*, That it ſhall and may be lawful for every of the ſaid proprietors to tranſfer his ſhare or ſhares by deed executed before two witneſſes, and regiſtered, after proof of the execution thereof, in the ſaid company's books, and not otherwiſe, except by deviſe, which deviſe ſhall alſo be exhibited to the preſident and directors, and regiſtered in the company's books, before the deviſee or deviſees ſhall be entitled to draw any part of the profits from the ſaid tolls; provided, that no tranſfer whatſoever ſhall be made, except for one or more whole ſhare or ſhares, and not for part of ſuch ſhares, and that no ſhare ſhall at any time be ſold, conveyed, tranſferred, or held in truſt for the uſe and benefit or in the name of another, whereby the ſaid preſident and directors, or proprietors, of the ſaid company, or any of them, ſhall or may be challenged or made to anſwer concerning any ſuch truſt, but that every perſon appearing as aforeſaid to be a proprietor ſhall, as to the others of the ſaid company, be to every intent taken abſolutely as ſuch, but as between any truſtee and the perſon for whoſe benefit any truſt ſhall be created, the common remedy may be purſued.

XVI. *And be it enacted*, That if the ſaid capital, and the other aids already granted by this act, ſhall prove inſufficient, it ſhall and may be lawful for the ſaid company, from time to time, to increaſe the ſaid capital, by the addition of ſo many more whole ſhares as ſhall be judged neceſſary by the ſaid proprietors, or a majority of them, holding at leaſt three hundred ſhares, preſent at any general meeting of the ſaid company; and the ſaid preſident and directors, or a majority of them, are hereby empowered and required, after giving at leaſt one month's previous notice thereof in the Maryland, Delaware and Pennſylvania newspapers, to open books, in the before-mentioned places, for receiving and entering ſuch additional ſubſcriptions, in which the proprietors of the ſaid company for the time being ſhall and are hereby declared to have the preference of all others for the firſt thirty days after the ſaid books ſhall be opened as aforeſaid, of taking and ſubſcribing for ſo many whole ſhares as any of them ſhall chooſe; and the ſaid preſident and directors are hereby required to obſerve, in all other reſpects, the ſame rules therein as are by this act preſcribed for receiving and adjuſting the firſt ſubſcriptions, and in like manner to return, under the hands of any four or more of them, an exact liſt of ſuch additional ſubſcribers, with the ſums by them reſpectively ſubſcribed, into the general courts as aforeſaid, to be there recorded; and all proprietors of ſuch additional ſhares ſhall be, and they are hereby declared to be, from thenceforward incorporated into the ſaid company.

XVII. *And be it enacted*, That if the ſtockholders, or the preſident and directors aforeſaid, ſhould neglect or omit, or be by any accident prevented from performing any act or thing on the particular day on which it ſhall be directed by this act to be done and performed, ſuch neglect or omiſſion ſhall not be conſtrued or taken in any manner to deſtroy or invalidate this charter, but the ſaid act may be done at the next convenient day.

XVIII. This act, and every part thereof, to be void and of none effect, unleſs an act ſhall be paſſed by the legiſlature of Delaware upon ſimilar principles.

ANNAPOLIS:
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